IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.27493-M of 2007
Date of Decision:- 03.05.2007

Hari Chand ....Petitioner(s)

through
Mr.Dhruv Dayal, Advocate

vs.

State of Haryana & ors. ....Respondent(s)

through
Mr.Tarun Aggarwal, Sr.DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J.

Notice of motion.

Mr.Tarun Aggarwal, learned Sr.DAG, Haryana accepts notice.

In view of the proposed order, he states that there is no need to file any reply.

The petitioner who is a convict under Section 376/511 IPC, applied for his release on parole to carry out house repairs. His application has been turned down by the Director General of Prisons, Haryana on the ground that as per report of the District Magistrate, the prisoner's house does not require any repairs.

Despite repeated clarificatory orders passed by this Court, the original order, which is in vernacular, does indicate that the Office of Director General of Prisons invariably uses misleading terminology so that undue benefit thereof is taken by the convict concerned.

In the present case also, if the house of the petitioner does not require repairs, the order could have been passed by using simple expression like "*Murammat Ki Aavashyakata Nahi Hai"* however, an expression which is capable of two contradictory meanings has been used by the office.

Obviously it renders the order totally vague and evasive. Accordingly, the same is hereby quashed. The Director General of Prisons, Haryana is directed to look into the matter and pass appropriate orders in accordance with law. It is further made clear that in future if vague and cryptic orders come across, exemplary costs shall be imposed.

Disposed of.

May 03, 2007 **(SURYA KANT)**
poonam **JUDGE**